IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6646 of 2007

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Smt.Shyama Kumari

.... **Petitioner/s**

Versus

The State Of Bihar & Ors

.... **Respondent/s**

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with

Civil Writ Jurisdiction Case No.6040 of 2007

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Rima Kumari

.... **Petitioner/s**

Versus

The State Of Bihar & Ors

.... **Respondent/s**

==========

with

Civil Writ Jurisdiction Case No.6184 of 2007

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Pramod Kumar Mishra

.... **Petitioner/s**

Versus

The State Of Bihar & Ors

.... **Respondent/s**

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with

Civil Writ Jurisdiction Case No.6082 of 2007

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Arvind Kumar Jha

.... **Petitioner/s**

Versus

The State Of Bihar & Ors

.... **Respondent/s**

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with

Civil Writ Jurisdiction Case No.6112 of 2007

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Prabhu Bind

.... **Petitioner/s**

Versus

The State Of Bihar & Ors

.... **Respondent/s**

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with

Civil Writ Jurisdiction Case No.6126 of 2007

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Baby Kumari @ Bebi Kumari

.... **Petitioner/s**

Versus

The State Of Bihar & Ors

.... **Respondent/s**

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with

Civil Writ Jurisdiction Case No.6229 of 2007

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Pinky Kumari & Ors

.... **Petitioner/s**

Versus

The State Of Bihar & Ors

.... **Respondent/s**

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with

Civil Writ Jurisdiction Case No.6267 of 2007

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Sharda Kumari

.... **Petitioner/s**

Versus

The State Of Bihar & Ors

.... **Respondent/s**

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with

Civil Writ Jurisdiction Case No.6290 of 2007

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Uttam Kumar & Anr

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.... Petitioner/s

Versus

The State Of Bihar & Ors

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.6309 of 2007

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Dayanand Kumar

.... Petitioner/s

Versus

The State Of Bihar & Ors

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.6330 of 2007

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Vina Kumari

.... Petitioner/s

Versus

The State Of Bihar & Ors

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.6507 of 2007

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Jyoti Kumari

.... Petitioner/s

Versus

The State Of Bihar & Ors

.... Respondent/s

==========

with

Civil Writ Jurisdiction Case No.6501 of 2007

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Girjanand Singh

.... Petitioner/s

Versus

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The State Of Bihar & Ors

.... Respondent/s

==========

with

Civil Writ Jurisdiction Case No.6543 of 2007

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Santosh Kumar

.... Petitioner/s

Versus

The State Of Bihar & Ors

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.6550 of 2007

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Priti Kumari

.... Petitioner/s

Versus

The State Of Bihar & Ors

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.6333 of 2007

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Ram Vinod Chaudhary Builders P

.... Petitioner/s

Versus

The State Of Bihar & Ors

... . Respondent/s

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with

Civil Writ Jurisdiction Case No.6569 of 2007

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Rita Kumari

.... Petitioner/s

Versus

The State Of Bihar & Ors

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.6580 of 2007

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Md.Nisar Alam

.... Petitioner/s

Versus

The State Of Bihar & Ors

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.6587 of 2007

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Shyam Narain Yadav

.... Petitioner/s

Versus

The State Of Bihar & Ors

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.6589 of 2007

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Prem Jiwan

.... Petitioner/s

Versus

The State Of Bihar & Ors

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.6601 of 2007

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Shobha Kumari

.... Petitioner/s

Versus

The State Of Bihar & Ors

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.6613 of 2007

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Satish Kumar

.... Petitioner/s

Versus

The State Of Bihar & Ors

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.6635 of 2007

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Raj Kishore Dinkar & Anr

.... Petitioner/s

Versus

The State Of Bihar & Ors

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.6649 of 2007

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Sita Kumari

.... Petitioner/s

Versus

The State Of Bihar & Ors

.... Respondent/s

with

Civil Writ Jurisdiction Case No.6240 of 2007

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Pushpa Kumari

.... Petitioner/s

Versus

The State Of Bihar & Ors

.... Respondent/s

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA

ORAL ORDER

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2/ 06-02-2012 **C.W.J.C NO. 6646 of 2007**

This case has been listed under the heading 'to be mentioned' at the instance of the counsel for the petitioner who is not present. It appears that I.A No. 7000 of 2011 was filed on 30.09.2011, after disposal of these cases along with analogous cases by order dated 12.07.2011. Under the said interlocutory application, a prayer has been made for modification of the order dated 12.07.2011 saying that when after the disposal of this writ application, the petitioner in terms of the order dated 12.7.2011 had moved before the District Teachers Appellate Authority on 02.09.2011 the same was rejected on the ground of delay in filing of the application, inasmuch as, in this Court's order dated 12.07.2011, it has been mentioned that the complaint had to be filed on or before 23.08.2011 whereas the same was filed by the petitioner on 02.09.2011.

In the considered opinion of this Court when the petitioner did not comply the order of this Court within the prescribed time limit and no explanation for such belated filing of the application after expiry of the time limit has also been given in the connected I.A No. 7000 of 2011, this Court must hold the present interlocutory application to be misconceived. Even otherwise once an order has been passed by the Authority rejecting

the complaint of the petitioner remedy for him cannot be modification of an earlier order which has already been given effecto.

Thus the prayer for modification of the order is, accordingly, rejected and consequently I.A. No. 7000 of 2011 is, accordingly dismissed.

Nothing said in this order, however, shall come in the way of the petitioner in filing a fresh writ petition assailing the aforementioned order dated 07.09.2011 passed by the District Teachers Appellate Authority, Patna in complaint case no. 13 of 2011.

Ranjan

(Mihir Kumar Jha, J)